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MASTER OF MILITARY STUDIES

CHEROKEE INDIANS AND THE UNITED STATES: A FAILED EFFORT AT ADAPTATION, BUT SURVIVAL

SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
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Executive Summary

Title: Cherokee Indians and the United States: A failed effort at adaptation, but survival.

Author: Major James B. Jones, United States Marine Corps

Thesis: The role of adaptation and cross-cultural issues in the interactions between cultures, societies and nations.

Discussion: This paper is a case study on the history of the Cherokee Indians and their attempts to resist relocation. The first American colonists disrupted and destroyed Indian cultures throughout the Americas. Sometimes localized destruction was intentional, as was the case with the Spanish conquistadors. Largely, however, the exposure to diseases for which the Indians had no immunity caused the greatest destruction, often decimating Indian populations and thereby assisting the colonists and settler's westward movement and development of the land.

Amongst the few loose Indian confederacies that emerged from a disrupted society in the American southeast were the Cherokee Indians. Throughout the sixteenth and seventeenth centuries European colonists had several strategies for interacting with the indigenous peoples. When the colonists were too weak to dominate and destroy them, they signed treaties with the Indian tribes. When the colonists were stronger than the local tribes, they used force coupled with treaties to achieve what they wanted-which was principally land. In the centuries immediately following the colonists' arrival their strength relative to the Indians' changed dramatically. The colonists experienced rapid population growth and expansion due to ongoing immigration and high birth rates. At the same time, Indian populations continued to decline as a result of internecine warfare and disease. Throughout this power shift the settlers continually needed more land to drive their economies and support their burgeoning population.

At the turn of the 19th century the new U.S. republic enjoyed a strong nationalist sentiment and a desire for security. European powers with a continuing interest in North America and frontier Indians were serious threats to United States security. Already restive Indians were used as disposable allies by Britain, France, and Spain to stir up trouble in the unconsolidated territory between Florida and the Carolinas. Unfortunately for the Cherokee, their allies were unwilling or unable to effectively support them militarily which led to reprisals and large forfeitures of tribal land. Following the loss of over half their tribal lands the Cherokee leaders realized that accommodation with the U.S. government was the only way to preserve the Cherokee Nation. Seemingly overnight, the Cherokee transformed themselves through the creation of a Republican form of government, adoption of modern agricultural techniques, and a written language. In spite of these impressive accomplishments and a relatively sympathetic Federal government, the Cherokee were unable to stem the tide of settlers nor discourage individual state's interests in Cherokee land. Ultimately the Federal government decided to end a perceived and actual security problem by removing the Cherokee Indians to west of the Mississippi River.

Conclusion: Due to conditions of the time, to include demographic, economic, and values, the Cherokee effort at adaptation to the dominant society and culture failed. **However, while ill-conceived and poorly implemented, an ironic result of the federal government's Indian Removal was the survival of the Cherokee Nation as a distinct cultural entity.**

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PREFACE

This is a study of the Cherokee Indians and their unsuccessful attempt at accommodation in an era of encroaching colonial settlement, American expansion, and racial polarization. This topic was attractive to me because of ancestral links to the Cherokee Indians. In their pursuit of political correctness many people today argue that Indians are incorrectly labeled. It is my view that the past can stand on its own without attempting to impose modern values and labels upon it. I grew up calling them Indians, have visited the Quilute, Yakima, and Macaw Indian reservations, and all of the Indians I have met refer to themselves as Indians. In light of this I will endeavor to persevere with the Indian label throughout this paper.

The focus of this paper is the Cherokee Nation's attempts at coexistence and later accommodation with settlers and the United States government. The paper touches on the Cherokee Indians beginning in 1750, but the real focus is the early federal period through Indian Removal, roughly 1750 to 1838. I chose the Cherokee Nation during this period for several reasons. First, by the early 19th century the Cherokee Indians recognized the threat posed by white encroachment and the futility of direct confrontation. Instead of direct combat the Cherokee Indians successfully restructured their entire way of life, ultimately taking their grievances into the political and legal arenas before Congress and the Supreme Court, respectively. Second, because modern nation states still struggle for balance with regard to local interests, cross-cultural differences, and moral behavior, the Cherokee's attempt at accommodation is relevant today.

In light of the many ways to approach the narrative, I chose to look at the problem from the viewpoint of three main actors: the Cherokee Nation, the Federal Government, and the state of Georgia. Throughout this period the Cherokee were at odds with the southern states over

land, access to western waterways, and natural resources such as gold. It is fascinating that the Federal Government and the Andrew Jackson and Martin Van Buren administrations were often sympathetic to the Cherokee Nation's grievances but unable to enforce policy in the face of belligerent southern states.

I would like to acknowledge and thank my wife, Shiloh, for her patience during the writing of this paper. Additionally, I would like to thank Dr. Donald F. Bittner for his many suggestions and often pointed critiques that kept me on track throughout the entire process.

PROLOGUE: FIRST CONTACT

Following the successful plundering of the Inca Empire as a member of Pizarro's expedition in Peru, Hernando de Soto embarked on a quest for further riches primarily in what is now the southeastern United States. During this period Spanish conquistadors received a mandate or Econmienda from the king of Spain to go forth and establish Spanish domination over particular areas of the New World. The conquistador received legitimacy from the Spanish crown and in return the crown received a share of any plunder the conquistador acquired.

While Governor of Cuba, Hernando de Soto funded and outfitted an expedition of mercenary soldiers with the expectation that he would greatly increase the return on his investment by exploiting hitherto unknown peoples in the north. Alan Taylor portrays de Soto's expedition: "Beginning in the spring of 1539, Soto led six hundred men on a violent rampage through the carefully cultivated and densely populated heartland of the Mississippian culture." Armed with modern weapons and cavalry, de Soto utilized the same ruthless tactics that had been so successful in Central and South America. However, instead of gold, de Soto's expedition encountered large and successful populations of farmers whose primary riches were food. Eventually, de Soto died on the banks of the Mississippi River and the remainder of his expedition returned empty handed to Mexico. De Soto's fruitless expedition was harsh even by the standards of the 16th century: "The friar Bartolome de Las Casas observed, 'We do not doubt but that he was buried in hell...for such wickedness.'"

While de Soto's acts under the Econmienda in the Southeast were disruptive, it was the European diseases he brought with him that especially caused the devastation. A century later a French expedition in the region counted only five tiny villages where de Soto noted thirty large towns.

Alan Taylor, *American Colonies* (New York: Penguin Putnam Inc., 2001), 72-74.

INTRODUCTION

In the 18th century the Cherokee Indians consisted of a loose confederation of villages throughout the American Southeast. The Cherokee preferred to live along streams and creeks in small villages that facilitated farming and hunting. Living near water allowed the Cherokee to raise crops such as corn, beans, tobacco, pumpkins, and squash all of which were an important part of their overall food supply. Additionally, the Cherokee Indians were accomplished hunters adept with a multitude of weapons, to include the bow and arrow, and blowguns - which were reportedly accurate up to 60 feet. A Cherokee warrior gained status in the tribe through warfare and hunting ability. Undoubtedly, they were also beginning to acquire guns at this time, further improving their already excellent hunting and military prowess.[1]

The Cherokee Indians' culture was rich and diverse. In a Southeastern Indian tradition, Cherokee families usually lived in two houses: a larger summer house and a smaller winter one that could also be used as a sweat lodge. The Cherokee Indians loved games and like other Iroquoian speakers were especially fond of lacrosse, often holding matches between clans and neighboring villages. Village governance was implemented through a White Chief and a Red Chief. The White Chief was responsible for religious ceremonies, mediating civil disputes, and issues related to farming. The Red Chief, on the other hand, was responsible for all matters pertaining to war. The Cherokee Nation's ancestral enemies were the Iroquois who resided in the American Northeast and with whom they shared a common language. By the mid-18th century, however, colonial expansion had disrupted the Iroquois leaving the Cherokee, Creek, Chickasaw, and later the Seminole Indians as the major players in the American Southeast.[2] The exact number of Cherokee Indians in the late 18th century is unknown; however Alan Taylor lists

them in 1760 as: "A numerous people (twelve thousand) inhabiting about forty villages in the defensible valleys of the southern Appalachian mountains."[3]

Cherokee Nation 1771 Source: WWW.PBS.org

CHARLES TOWN

"In 1670 three ships from Barbados bore two hundred colonists to the mouth of the Ashley River where they founded Charles Town (modified to Charleston in 1783)".[4] Following their initial settlement, the colonists of Charleston, South Carolina increasingly utilized trade to acquire land. Most notable amongst the local tribes, the Creek, Yamasee, and Catawba Indians quickly became dependant on the new technology provided by the European traders and at the forefront of their dependence were guns and ammunition.

Once the Indians' dependence on guns and ammunition had begun this became a self perpetuating cycle of destruction. A Southern Indian tribe, such as the coastal Westos, needed guns and a continual supply of ammunition to enable them to effectively raid neighboring Indian tribes. The neighboring Indian tribes then sought weapons to protect themselves from raiding

parties and to hunt for increasingly scarce game. If the traders cut off access to weapons and ammunition, an Indian tribe would soon fall prey to a neighboring tribe. Alan Taylor outlines the colonist's strategy: "By pushing the gun and slave trade, the Carolinians gained mastery over a network of native peoples, securing their own frontier and wreaking havoc on a widening array of Indians."[5] The colonists at Charlestown generally sought a balance between displacing the Indians to acquire more farmland and leaving enough Indians to provide a barrier to keep their black slaves from running away. The Indians were paid handsomely for returning runaway slaves thereby providing a serious obstacle to potential runaway slaves.[6]

In a rare instance, the Southern Indians fought back collectively against the colonists. Alan Taylor describes one such short lived alliance:

> In April 1715 the Yamasee rebelled, killing traders, slaughtering cattle, and burning plantations around Port Royal. The rebels recruited the Catawba and Lower Creek, who shared their grievances. Long dependent upon a divide-and-conquer strategy, the Carolinians suddenly confronted an unexpected Indian unity along their long and vulnerable frontier. Never before in English colonial experience had so many native peoples united so effectively. During the spring and summer, the rebels killed about four hundred colonists and drove hundreds of refugees into Charles Town.[7]

This unexpected unity had long eluded the Indians and, coupled with the specter of disease, had facilitated the ongoing European settlement of the Americas. Fortunately for the colonists, they were able to enlist the help of several Indian tribes to fight the Yamasee, Creek, and Catawba coalition. Ironically, the Cherokee nation played a large part in the suppression and subsequent retreat of the Yamasee, Creek, and Catawba tribes. Alan Taylor characterizes this successful exploitation of internecine conflict: "The Cherokee decided that they wanted neither to live without trade goods nor see the Yamasee and Creek wax more powerful. Taking presents from South Carolina, the Cherokee suddenly attacked the rebels, with devastating effect."[8] Following the conflict, many of the defeated Indians fled to the safety of Florida.

CONFLICT WITH COLONISTS

By 1759 the Cherokee found themselves at odds with their colonial neighbors at Charleston. Until then, the Cherokee were far enough inland to avoid overly competitive interests with the colonists and the associated conflict. The trouble started when a delegation from the Cherokee nation went to Charleston in response to grievances arising from the French and Indian War (1755-1763). The grievance arose from unscrupulous South Carolina frontiersmen who wanted to collect the high bounty offered for Shawnee scalps in Virginia and found it much easier to kill unsuspecting Cherokee warriors and present their scalps as Shawnee. "In 1759, the Cherokee warriors took revenge by killing about thirty settlers. Escalating the conflict, the South Carolina authorities demanded that the Cherokee surrender the warriors as murder suspects."[9] Though there was responsibility on both sides, the governor in Charleston unilaterally demanded that the Cherokee delegation turn over the warriors. When the Cherokee refused, the governor arrested the delegation of chiefs and ransomed them for one of the warriors accused of murder. The delegation was finally released, but the stage was set for future conflict between the Cherokee Indians and the rapidly expanding colonial communities in the Carolinas and what would soon become Georgia.[10]

At the onset of the American Revolution, Northern Indians with the help of British agents, won the support of the Cherokee nation and incited raids on colonial settlements throughout what is now known as the states of Tennessee and Georgia. From the Cherokee nation's point of view, siding with the British in the American Revolution constituted their best hope for holding onto their ancestral lands and keeping out white settlers. The Cherokee's position derived from Britain's ongoing attempt to retain peace in the area via restraining colonial encroachment into Indian lands east of the Appalachian Mountains. If successful, the British hoped to appease the Indians by preserving the Indian lands in what was then "the west".

In reality, if Britain achieved any success in restraining settlement it was more coincidence than actual deterrence. The Cherokee Indians were under no illusions regarding Britain's motivations, but saw the British as their best chance to limit the colonial settlers' advance that continued to incrementally destroy their way of life.

Unfortunately for the Cherokee Indians, the British were unable to sufficiently support the Indian raiders who operated in a region from the Carolinas to the Ohio River.[11] Following the first Cherokee raids, the incensed colonists raised militia forces to fight them and by 1777 the Cherokee raiders had largely dissipated their ammunition and supplies. Ultimately, the Cherokee Indians were forced to sign the Treaty of 1777 which greatly reduced their territory. Peter Mancall and James Merrell, experts on early American colonialism, describe the blow to the Cherokee nation brought on by their participation in the American Revolution: "To gain that peace the tribe was forced to yield more than half of its 100,000 square miles of territory, forcing thousands of Cherokees to resettle within the shrunken nation."[12] The loss of so much territory was a tremendous blow to the Cherokee Indians. It constituted the largest loss of territory the Cherokee nation had ever endured and was so contentious that it split the Cherokee into two distinct groups. Further, the hostility generated by the Indian raids would remain in the settlers' collective memory for many years to come and have serious implications on the future of the Cherokee people.

DIVISION AMONGST THE CHEROKEE

Within the larger context of the American Revolution simmered ongoing frontier conflicts with the Indians. The conflict generated by the Treaty of 1777 divided the Cherokee nation into a northern and southern group known at the time as the Upper Towns and the Lower Towns. The Upper Towns consisted of those Cherokee Indians willing to both abide by the

terms of the treaty of 1777 and attempt to live peacefully on their reduced territory. The Lower Towns or Chickamauga Band were angry over the loss of territory and continued to raid white settlements. Carl Waldman describes the repercussions of the Chickamauga band's raids which were led by Chief Dragging Canoe:

> But Dragging Canoe and his Chickamauga band of the Tennessee River Valley continued their attacks on settlers, with arms supplied by British agents out of Pensacola, until Colonel Evan Shelby, with an army of 600 invaded their territory in 1778. Thereafter, the Cherokee resistance was limited to rare and isolated attacks. Nonetheless, in 1780, North Carolina militia used these attacks as an excuse to invade Cherokee territory once again, raze villages, and demand more land cessions.[13]

Throughout this period frontier settlers fought back, typically refusing to differentiate between the Cherokee Indians of the friendly Upper Towns and the actual raiders from the Lower Towns. Peter Mancall and James Merrell invoke the behavior that fueled the conflict: "Enraged frontier settlers refused to distinguish between the friendly Upper Towns and the guerrillas in the Lower Towns. Invading peaceful Cherokee villages they provoked many of them to join the guerillas."[14] North Carolina then passed the Land Grab Act in 1783: "which permitted citizens of the state to claim Indian land in Tennessee. Less than a year later some two to three million acres of Cherokee and Chickasaw lands were staked out and claimed."[15]

To further complicate matters, foreign powers such as France, Spain, and Britain were still very interested in North America and were not shy in their attempts to influence events within and along the borders of the United States. Often, these foreign military powers attempted to exert influence through Indians allies. Britain, still not satisfied with the state of affairs following the Revolutionary War, continued to occupy many frontier forts along the western frontier hoping the United States would fail. Spain, on the other hand, controlled much

of Florida and regularly supplied Indians out of Pensacola. Finally, France later reclaimed from Spain the huge expanses west of the Mississippi River until 1803 and the Louisiana Purchase.

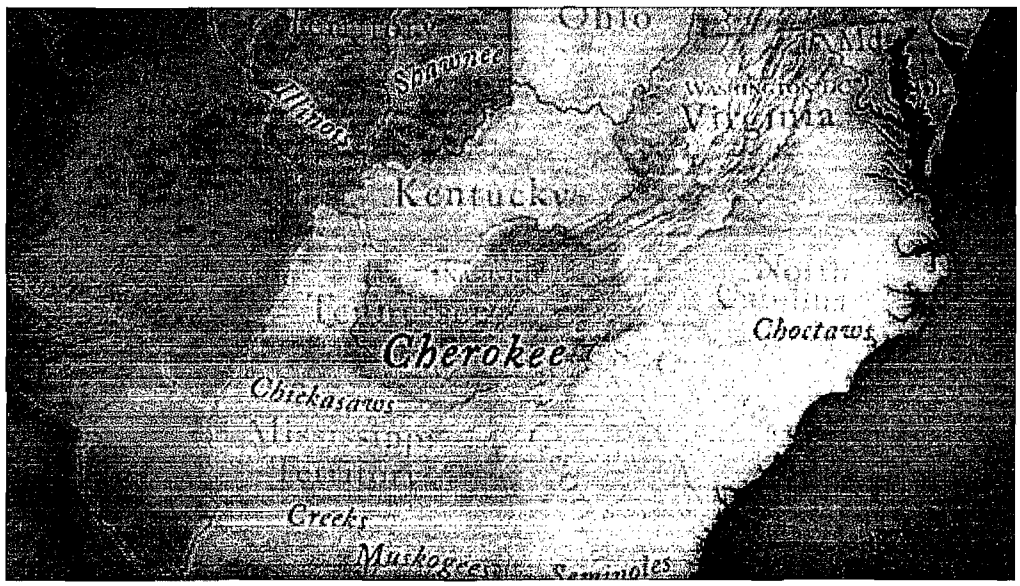
In the late 18th century, loyalty to the United States along the frontier was far from guaranteed. On the contrary, the settlers on the frontier were largely influenced by local interests such as who could provide land guarantees, security from Indian raids, and avenues for trade. A prominent frontiersmen and explorer of the Cumberland area wrote of a possible change of loyalty in 1788: "we cannot long remain in our present state, and if the British or any commercial nation who may be in possession of the mouth of the Mississippi would furnish us with trade, and receive our produce there cannot be a doubt that the people on the west side of the Appalachian mountains will open their eyes to their real interest."[16] Even the young Andrew Jackson prescribed to some of the same points of view with regard to possible alliances with foreign powers in exchange for security. These events hint at the political acumen of fledgling federal government and some of the challenges it faced in uniting the country and ensuring the continued loyalty of western frontier areas during the years immediately following the Revolution.

A SHRINKING CHEROKEE NATION AND PRESSURE TO CIVILIZE

Following the Land Grab Act in 1783, the Cherokee Indians were induced to sign yet more treaties. For example, Robert Remni writes about the Treaty of Holston and it's implications: "The Treaty of Holston was signed with Cherokees on July 2, 1791...A process of 'civilizing' the Cherokees was also initiated by furnishing farming tools from time to time so that they could become 'herdsmen and cultivators' instead of hunters."[17] (See Appendix A)

Mancall and Merrell lament the Cherokee's plight by the turn of the century: "By 1800 their hunting grounds in Kentucky and Tennessee were wholly occupied by white Americans,

and their role in the fur-trade economy was gone."[18] So by the beginning of the 19th century the Cherokee Nation was greatly reduced, the federal government was pushing its plan to civilize the Indians, and the stage was set for confrontation with the southern states over Indian land.



Cherokee Nation 1805 Source: WWW.PBS.org

THE FEDERAL GOVERNMENT

In 1781 Thomas Jefferson was the governor of Virginia and it was during this time that the first glimmers of a national Indian policy began to emerge. First, it is important to remember that the American Revolution was still being fought and that the Indians were not very high on the Continental Congress' priority list. So, during Thomas Jefferson's tenure as governor of Virginia in 1781, Chief Du Coigne of the Kaskaskia Nation came to visit and parley with him. In addition to trade, Chief Du Coigne came to ask for teachers to educate his people. Anthony Wallace, a Jeffersonian historian, denotes this as the first reference to 'civilizing' the Indians and commented on Jefferson's reply:

> What is most significant in his reply to Du Coigne is its adumbration of what later became known as the civilization policy: the plan of the federal government to send teachers, missionaries and capital goods into the villages of

> friendly Indian tribes to teach them white methods of agriculture and domestic husbandry.[19]

This theme of assimilation would later take hold at the federal level and seem to its advocates a palatable method for dealing with the Indian problem.

Following the Revolution, the United States faced the problem of uniting its territory and protecting its borders from the European powers' ongoing colonial designs. The fact that the new country did not have a large army nor adequate funding further complicated its problems. Further, the republic's attempt to raise revenue through an excise tax on distilled spirits would foment the 'Whiskey Rebellion,' and after 1793 Britain's seizure of American ships and impressments of seaman agitated the public at large and had many calling for renewed hostilities with that country.[20] Amidst these evolving challenges, in 1789 Henry Knox became the United States Secretary of War. In July 1789 Knox wrote a letter to President Washington and identified two courses of action for dealing with the southern Indian problem:

> War against the Creeks, who would if attacked doubtless consolidate a "general confederacy" of southern Indians allied to Spain, would be a daunting prospect requiring an army of at least 5,000 men ...at a cost of $1,500,000 annually. To enforce a peaceful settlement of boundary disputes with the Creeks and Cherokees would also require a military force, but a much smaller one, of at least 500 troops.[21]

From a practical point of view, it was less expensive and less manpower intensive for the new republic to treat with the Indians and encourage a policy of general integration. At the federal level, the hope was that over time the Indians would assimilate into the culture, viewing and using land in the same ways that settlers did. On July 22, 1790 the first federal laws concerning Indian policy were enacted. Collectively known as the Indian Non-Intercourse Act, these laws incrementally outlined the regulation of commerce with Indians, most notably land sales. These laws were largely in response to the increasingly obsolete treaty system that the

United States had inherited from Britain and had prevailed as the primary method of acquiring land from the Indians.[22] Opponents of the treaty system argued that signing treaties and dealing with the Indians as sovereign nations was ridiculous and that the United States should instead deal with them as dependant peoples. Following the Indian Intercourse act additional laws and statutes were created and collectively they came to form what was known as the Federal Government's Indian policy. Francis Prucha portrays officially Indian policy as: "to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier."[23]

Turmoil over the Indians and how to deal with them reached to the highest levels of government. Ron Chernow, a renowned George Washington biographer, notes the president's viewpoint on the Cherokee Indians during his second term:

> While Washington dealt remorselessly with Indians who menaced white settlers, he never surrendered hope of a humane rapprochement with them. Both Washington and Knox recognized that Indian depredations were understandable responses to the impingement of white communities on their traditional lands...In his last year in office, he issued his "Address to the Cherokee Nation," which attempted to define a way for Americans and Native Americans to coexist in harmony...It was unrealistic in asking them to abandon their culture and adopt that of their rivals. It was in essence, telling the Indians that to survive they had to renounce their immemorial way of life - that is, cease to be Indians and become white men.[24]

Later, in 1803 Thomas Jefferson wrote a letter regarding the future of the Indians expressing his hope for assimilation: "In truth the ultimate point of rest and happiness for them is to let our settlements and theirs meet and blend together, to intermix, and become one people."[25]

INDIAN AGENTS

In 1793 the United States government passed the Indian Intercourse law, which created Indian Agents responsible for interacting with specific Indian tribes and charged with shepherding them toward more civilized ways.[26] From the start, the foundation of the Indian Agent policy was built on flawed assumptions. First the policy assumed that all Indian Agents

were honest and well meaning. Second, the Indian agents were charged with civilizing the Indians. The task of civilizing the Indians assumed that the larger, racially polarized white society would accept the Indians once they did change their way of life and adopted that of white society. Both assumptions naively expected too much too soon from both the Indians and the frontier settlers.

The Indian Agents repeatedly emphasized civilizing and leaving internecine warfare behind for what Mancall and Merrell recount as: "farming and book learning."[27]

Limited in manpower, training, and monetary support the Cherokee agents groped for methods to helpmove their charges toward assimilation. One notable Cherokee Indian agent was Colonel Return J. Meigs. In his quest to make his wards functional members of society, Colonel Meigs attempted to blend Cherokee mysticism with elements of contemporary religious beliefs.[28] Although Colonel Meigs' efforts at creating a new religion for the Cherokee Indians were unsuccessful, they are insightful in that they give a glimpse at the level Indian agents and the federal government were willing to interfere with the Cherokee's daily lives.

A major problem with the Indian Intercourse Law and Indian agents in general was the lack of both funds and an enforcement arm to implement the federal government's intentions. When available, civilian Indian agents relied on local military units to enforce laws in Indian territory. Often, when there were no designated Indian agents in the region, U.S. Army officers found themselves assigned the additional-duty. As Indian agents, U.S. Army officers found the ban on the sale of liquor and ongoing encroachment on Indian lands by white settlers very contentious issues at a local level. Alcohol and land were especially profitable and U.S. Army officers charged with enforcing Indian Policy found themselves athwart local interests and

subject to harassment by local law enforcement in the name of justice. Francis Prucha describes some of the pitfalls of unwary military officers:

> The actions of the army officers to enforce the intercourse laws in regard to intrusions on the Indian lands and the prohibitions against whiskey ran afoul of the frontier traders and settlers, who would brook no such interference with their schemes...The frontiersmen and the courts that represented them were hostile to military action, even when the laws were clearly on the side of the officers.[29]

In February 1803 Jefferson wrote to General Andrew Jackson: "In keeping agents among the Indians two objects are principally in view: 1. The preservation of peace; 2. The obtaining lands."[30] Largely the rhetoric of the day continued to speak of civilizing the Indians for moral reasons, but in reality Indian policy was aimed at assimilation in order to keep the peace and ease the process of land acquisition. Underpinning all of this was the fledgling government's justifiable paranoia over border security and fending off British, French, and Spanish interests. President Jefferson kept his personal views on assimilation secret from the Indians: "..because if the Indians, now almost universally averse to selling any more land, became aware of the real purpose of the factories and civilization policy, they would reject both. That real purpose, for the present, was the peaceful acquisition of the Mississippi frontier."[31]

GEORGIA

The most public confrontation with the Cherokee nation was initiated by the state of Georgia. In addition to land, Georgia needed access to the Tennessee River in order to fully realize the potential of her Atlantic sea ports. Unfortunately for the Cherokee Indians, the only viable routes went through the nearly seven million acres of Indian land inside Georgia's chartered limits. Mary Young describes the foundation for Georgia's confrontation with the Federal Government and the Cherokee:

> For all Georgians, the trouble began with the Compact of 1802, wherein Georgia ceded to the federal government the rich domain that produced Alabama and

> Mississippi....The federal government also promised to purchase the Indian title within the chartered limits of Georgia as soon as it could on reasonable and peaceable terms.[32]

However, the federal government had underestimated the Cherokee Nation's resolve and by 1819 Georgia had acquired less than one million acres.[33] The debate raged in Georgia on the best course of action on how to resolve the Cherokee Indian land issue. Mary Young describes the dilemma faced by the Georgians: "All politically active Georgians favored Indian removal. Yet not all Georgians agreed as to the tactics appropriate to achieve that desirable object. Georgians had little respect for people of color but considerable respect for people of property."[34] The increasingly hostile environment based on skin color and desire for land would prove an insurmountable obstacle to successful Cherokee coexistence.

OBSTACLES TO CIVILIZING

By the early 19th century the Cherokee nation faced a crisis. The various treaties between the United States and the Cherokee nation had significantly reduced tribal lands and done nothing to reduce the settlers' hunger for the land that remained. Throughout this period there were three major obstacles to the Cherokee adopting the yeomen farmer ideal, the theory espoused by the federal government. First, in order to adopt the yeoman farmer ideal the Cherokee would have had to radically change the societal roles between men and women. Second, the federal government lacked sufficient funding to implement a full-scale civilizing process. Finally, the communities rapidly surrounding the Cherokee Nation were increasingly hostile to people of color.

Perhaps the most difficult task for the Cherokee Indians was the fundamental break with traditional Cherokee culture conveniently packaged in the term 'civilize.' The new constraints associated with the conversion to farming made it increasingly difficult for a Cherokee man to

gain status within the tribe. Traditionally, a young warrior gained prestige through individual prowess in battle and hunting.[35] As yeoman farmers, these traditional methods for gaining prestige were no longer allowed. Indeed how could a young Cherokee man call himself a warrior if he was a farmer and never fought with anyone? Farming was traditionally women's work and as such not a suitable calling for a warrior to pursue.

The second difficulty associated with civilizing the Cherokee Indians was the federal government's lack of funds. In the early 19th century the initial attempts at material support consisted of a few farm implements and the oversight of the Indian Agents. Even the first missionary schools that were attempted between 1804 and 1810 stuttered amongst the Cherokees suffering from too few supplies and scant pupils largely due to a lack of funding.[36]

Finally, the south was rapidly stratifying around a social and economic structure defined in large part around skin color. As a non-white population of approximately 17,000 being rapidly surrounded by race conscious white settlers in the slave holding south, this problem was increasingly apparent across all dealings with non-Cherokee. Indeed, the founding fathers recognized the emerging problems with race surrounding the Indians and black slaves. Ron Chernow honors George Washington for his bravery: "By freeing his slaves, Washington accomplished something more glorious than any battlefield victory as a general of legislative act as president. He did what no other founding father dared do...He brought the American experience closer to the ideals of the American Revolution and brought his own behavior in line with his troubled conscience."[37]

THE CHEROKEE NATION CHANGES COURSE

In general, the Cherokee Indians did not universally embrace the idea of assimilation and the conversion to yeoman farmers. In 1807, personal issues also affected the situation: the

Lower Town Chief Doublehead was killed for signing the treaty of 1806 in which he parlayed to have certain lands set aside for his personal enrichment. During the ensuing maelstrom of political unrest amongst the Cherokee Indians their Indian ggent, Colonel Meigs, tried to induce the Cherokees to sell the remainder of their lands and relocate in the West. Colonel Meigs' argued from the prevailing humanitarian position of the day that this was the best solution to preserve their culture and protect them from encroaching whites and their associated predations. The United States Army was too small to stem the tide of settlers and land speculators so Indian removal to the west was ultimately their only means of preservation. Additionally, the Louisiana Purchase provided the United States with a means for a short term solution to the Indian problem. In response to Chief Doublehead's murder and pressure from the federal government, some Cherokee Indians did relocate to the west in what is now modern day Oklahoma:

> This noble dream of moving the Indians to a permanent reservation west of the Mississippi originated with Thomas Jefferson in 1803, and before the end of his administration gentle pressure was put upon the Cherokees to exchange their lands for others in the west. Some of the Cherokees did go west, at first only to hunt but then to settle, and by 1816 more than 2,000 of them had moved west.[38]

However, overall the offer to relocate galvanized the majority of the Cherokee Indians and united them in a fundamental way that had eluded them previously. Mancall and Merrell outline the Cherokee's efforts to unite, resist relocation, and in general defend their interests:

> Their first task was to reunite the various regions of the tribe in a concerted effort to hold on to what remained of their ancestral land. Their second task was to create a new instrument of political control—an elected executive body empowered to act on the nation's behalf when the council of chiefs was not in session....They would not assimilate, and neither would they be moved. They would remain an independent, quasi-sovereign nation.[39]

During this period several figures emerged to play prominent roles in the conflict: Sequoyah, John Ross, Major Ridge, and Andrew Jackson.

SEQUOYAH

Sequoyah was an iconic figure amongst the Cherokee Indians who came to inspire them and instill confidence in the Cherokee's ability to successfully compete in the modern world. Sequoyah was born George Gist in approximately 1767 and was a Cherokee silversmith by trade. Independently identifying the need for a written Cherokee language, Sequoyah set out to personally create one in 1809. After several years of experimentation, he single handedly created, taught, and disseminated what became known as the Cherokee Syllabrary. Sequoyah's 86 character Syllabrary was officially adopted by the Cherokee Nation in 1825. After the tribe overcame the initial skepticism, the Cherokee embraced the Syllabrary and within a short time the Cherokee Nation enjoyed a higher literacy rate then the local settlers in Georgia. Additionally, the Cherokee Syllabrary was used for several years in the Cherokee's newspaper, the *Cherokee Phoenix,* that printed stories in both English and Cherokee. Sequoyah represents the Cherokee nation's acceptance of the inexorable change required to survive and their attempts to embrace it.[40]

ANDREW JACKSON

Growing up on the frontier, Andrew Jackson lived and breathed the constant friction between white settlers and the Indians. Spain, Britain, and France incessantly meddled along the American frontier through the Indians with little concern for the consequences paid by their overmatched allies. From his early experiences on the frontier and the death of his brother at the hands of the British, Andrew Jackson developed a deep hatred for Britain and a disdain for policies dictated by the federal government with little local involvement. As Jackson rose in political and military stature and power, he retained this disdain which manifested itself in a contemptuous disregard for unpopular policies or orders. Historian Robert Remni writes of

Jackson during his dealings with the Chickamauga Cherokees in 1792: "On more than one occasion in the future he would simply ignore government orders regarding the Indians and act according to his own perception of what was the proper course of action.... Andrew Jackson summed up his point of view: 'forget treaties; scourge hostile tribes; protect U.S. citizens at all costs."[41]

Andrew Jackson is often associated with many of the Indian removal policies, but by the standards of the day he was relatively conservative. Indeed, following the battle of Horseshoe Bend, Jackson adopted a young Creek Indian and by all accounts loved him dearly. Frontiersman Andrew Jackson was inwardly complicated, but outwardly direct: he settled acts of violence with violence, but often meted out penalties to both Indians and whites when mediating disputes. When it came to negotiating with the Indians Jackson consistently followed his own frontiersmen beliefs and brooked no interference from the federal government. The future president succeeded in acquiring treaties in the face of federal direction and ultimately as the nation's chief executive oversaw the signing of the New Echota Treaty in December 1835 which heralded the downfall of the Cherokee resistance. A fatalist, Andrew Jackson believed that Indian removal was inevitable and perhaps the only way to protect them from white settlers and ensure frontier security.[42] At the highest levels the idea of Indian removal began with Thomas Jefferson, gained real momentum during Jackson's administration, and finally culminated with President Van Buren.

JOHN ROSS

In a spectacular demonstration of organized resistance the Cherokee nation dramatically changed course: "Of the southern tribes the Cherokee were the most advanced, the best organized, and (if one excepts the Seminoles) the most determined to resist removal."[43] In an

effort to resist removal, the Cherokee Nation had embraced the Jeffersonian idea of adopting the white man's ways. First and most importantly, the Cherokee Indians owned land. Additionally, they had converted largely to Christianity, become accomplished farmers, lived in houses, owned livestock, and produced tradesmen such as blacksmiths. The Cherokee Nation had become so sophisticated in the white man's ways that they had an advocate in Washington, John Ross.

Increasingly in the 19th century, the Cherokee leadership realized that they needed an advocate in the white world that could speak for them. In 1809 the Assistant Indian Agent to the Cherokee was a mixed blood Cherokee named John Ross. In order to avoid small factions of Cherokee Indians from signing treaties and ceding land, the Cherokee Nation formed the National Council in November 1817 and John Ross was elected as one of the thirteen members. This united National Council made it illegal to sell Cherokee land and thereby frustrated the federal government's attempts to slowly acquire Cherokee land. Indeed, the Cherokee instituted the death penalty for any Indian that sold land or signed a treaty ceding land. Brian Hicks notes the increasing sophistication demonstrated by the Cherokee council and their recognition of individual talents and skills: "Because of his fluency in English Ross became one of the Cherokee's lead negotiators."[44] Further, Ross gained prestige amongst the Cherokee when he publicly exposed an attempt by the Georgia government to bribe him during treaty negotiations. Eventually, Ross was nominated principal chief and came in direct confrontation with President Andrew Jackson.

INDIAN REMOVAL BEGINS WITH THE CHOCTAW AND CHICASAW

By 1817 President James Monroe began to implement the policy of Indian removal. The Louisiana Purchase opened up a new frontier and suddenly the option to trade land west of the Mississippi River in exchange for land east of the Mississippi river became possible. No one

could have foreseen how rapidly settlements expanded to surround and ultimately overwhelm the Indian populations east of the Mississippi river. The first Indians to accede to federal pressure and move west were the Choctaw and Chicasaw Indians. This newly unveiled idea of removal was championed by humanitarians and justified as saving the Indians by allowing them to seek out their own destinies west of the Mississippi River in "Indian territory". Francis Prucha gives a glimpse of the humanitarian viewpoint used to justify removal: "Over all was the ever louder voice of humanitarians, who looked upon removal as the last hope of survival for the tribes, who were rapidly degenerating under white pressures."[45] The advocates for Indian removal were not cultural anthropologists and throughout the process little thought was given to the quality of land west of the Mississippi river nor the fact that those lands were already occupied.

GEORGIA AND THE CHEROKEE

During this period John Ross came to represent the Cherokee nation and by 1826 he was elected the Principal Chief of the Cherokee. Ross worked tirelessly in Washington as an advocate for Cherokee rights, fair treatment, and protection from state interests under federal laws. Then, a new complicating factor in the situation appeared: at approximately this same time gold was found on Cherokee land in Georgia. The state of Georgia immediately began passing a series of oppressive laws designed to limit Indian rights and facilitate additional acquisition of their land. Some examples from the legislation are described by Mary Young: "No Indian or descendant of an Indian could be competent witness or party to a suit in which a white was party...All laws, ordinances, orders and regulations of the Cherokee Council should be null, void, and not citable in court."[46]

John Ross continued to lobby the Cherokee's case with Congress, but momentum for Indian removal was too great. The state of Georgia hired 100 surveyors to divide up Cherokee

territory into districts in preparation for acquisition. Not everyone was unsympathetic to the Cherokee within the state of Georgia, but inexorably the state legislated away potential obstacles. In spite of John Ross' efforts to lobby Congress, the bill for Indian removal passed in May of 1830.[47]

BATTLE IN THE COURTS

A determined John Ross hired lawyer William Wirt, who took the Cherokee's case to the Supreme Court. Robert Remini illustrates the case:

> In the celebrated Cherokee Nation v. Georgia he instituted suit for an injunction that would permit the Cherokees to remain in Georgia without interference by the state. Speaking for the majority of the Court, Chief Justice John Marshall handed down his decision on March 18, 1831. Not surprisingly, as a great American nationalist, he rejected Wirt's argument that the Cherokees were a sovereign nation, but also rejected Jackson's claim that they were subject to state law. The Indians were "domestic dependent nation," he ruled, subject to the United States as a ward to a guardian.[48]

The Cherokees thought they won the case, however Georgia had continued to pass restrictive and repressive Indian laws during the litigation period of Cherokee Nation v. Georgia.[49] The most explosive law during was passed in December 1830 which prohibited: "white men from entering Indian country after March 1, 1831, without a license from the state. This move was obviously intended to keep interfering clergymen from inciting the Indians to disobey Georgia law."[50] Eleven missionaries were arrested and initially they fought Georgia's charges in Federal court, but the issue became so polarized that most withdrew their federal motions in fear of instigating a civil war in Georgia. Two missionaries, Samuel A. Worcester and Dr. Elizur Butler, persisted and were sentenced to four years hard labor in the Georgia state penitentiary.[51] The Cherokee nation and its supporters persisted and a second case was taken before the Supreme Court:

> On March 3, 1832, Marshall again ruled in Worcester v. Georgia, declaring all the laws of Georgia dealing with the Cherokees unconstitutional, null, void, and of no effect. In addition he issued a formal mandate two days later ordering the state's superior court to reverse its decision and free the two men...The Court had rendered its judgment, directed action by the state's superior court, and then adjourned. It would not reconvene until January 1833. Neither Georgia nor the state's superior court responded to the order....he [President Jackson] said that "the decision of the supreme court has fell still born, and they find that it cannot coerce Georgia to yield to its mandate."[52]

The ruling did not order the federal government to intervene on behalf of the Cherokee Indians, so it did not. The two imprisoned missionaries continued to be an annoyance and President Jackson orchestrated their release through Georgia governor Wilson Lumpkin in 1833.[53]

Instead of federal intervention on behalf of the Cherokees, a period of fruitless negotiations ensued. Finally, Georgia's impatience with the Cherokee litigation boiled over and as Mary Young relates it: "On December 21, 1835, the legislature voted to issue grants to all winners in the 1832 lottery [for Cherokee land] and to dispossess the Indian occupants by November 11, 1836."[54] At this point Major Ridge and his minority party are thrust to the forefront.

THE RIDGE PARTY

Major Ridge was an influential member of the Cherokee Council and represented a minority group within the Cherokee Nation that came to advocate removal. Well respected for his part in the assassination of Chief Doublehead, participation in the Creek War, and status as a wealthy planter, Major Ridge and his party saw no way to defeat the political forces arrayed against the Cherokee Nation. Shortly after the Georgia legislature voted to dispossess the Cherokee, Major Ridge, his son John Ridge, and the other members of his minority party signed the Treaty of New Echota ceding Cherokee land in the east in exchange for land in the west.

Ultimately, Major Ridge and his party were correct in their assessment that Georgia would proceed to dispossess the Cherokee no matter what. However, the signing of the Treaty of New Echota signified the end of federal negotiation and heralded in the Cherokee removal which would later be referred to as the 'Trail of Tears'. [55]

EPILOGUE

In 1838 approximately 18,000 Cherokee Indians were rounded up and placed in internment camps along the frontier.[56] During this process most of the Cherokee Indians were separated from the majority of their worldly possessions. This dispossession included entire farms, fields, livestock, and associated hardware. Gloria Jahoda describes some of these events in Georgia: "The property of many had been taken and sold before their eyes for almost nothing—the sellers and buyers, in many cases, having combined to cheat the poor Indians. These things are done at the instant of arrest and consternation; the soldiers standing by, with their arms in hand, impatient to go on with their work."[57] Following the internment of the Cherokee Indians, they were relocated to the west. The process of Cherokee relocation was poorly planned, poorly supervised, and poorly funded, resulting in terrible conditions and needless hardship and loss of life.

Some Cherokee Indians remained in North Carolina thanks to the efforts of William Holland Thomas. Thomas was white man raised by Cherokee Indians and sympathetic to their plight. As a white man, Thomas was able to legally purchase tribal land. Thanks to his efforts a small group of Cherokee Indians were able to remain in the mountains of North Carolina and escape removal. Robert Remini describes how the Eastern Band of the Cherokee came to be: "After years of negotiation by William Thomas, a white trader, with both the state and federal

governments, this small group of Cherokees were permitted to remain undisturbed in their cloud-hidden heights."[58]

Throughout relocation the Cherokee Nation was steadfast in its support for John Ross who retained his position as principal chief until his death in 1866. Following relocation Major and John Ridge were both assassinated for signing the Treaty of New Echota. This ushered in a period of internal conflict within the Cherokee nation that would last until the Civil War. Despite the hardships, the Cherokee nation has endured and today is the largest Indian nation in the United States with over 300,000 members.[59]

CONCLUSIONS

There are several contemporary lessons in the Cherokee removal. First, when a culture, nation, or people's security is threatened they can go to great lengths to preserve their community. In this case, the Cherokee abandoned traditional social relationships and cultural lifestyles in the hope of resisting removal and remaining on their ancestral lands. Colin Gray encapsulates this behavior in the name of security: "Humans are not essentially warlike, or peace-loving, or probably anything else except security-seeking."[60]

By the early 19th century, the Cherokee Indians recognized their inability to fight the United States militarily and opted for accommodation and acceptance of the federal government's plan to convert to Red-Anglo-Saxon farmers. When local interests continued to threaten the Cherokee Nation, they attempted to mitigate the state of Georgia's hostility through political strategies at the federal level. By Clausewitz's definition the Cherokee Nation and the state of Georgia were at War: "Clausewitz maintained that war involves hostile feelings, such as hatred or enmity, as well as hostile intentions, such as the desire to reduce another's power or influence;...Anything one state does, however minor, that limits the power of another can be

considered a hostile act."[61] In this case the Cherokee Indians succeeded in fulfilling the federal government's vision of civilizing and fundamentally changed their culture through the adoption of modern farming techniques, a written language, and governmental bodies.

In spite of their success, the federal government was not able to mitigate Georgia's local interest and hostility. In Georgia's dealings with the Cherokee nation, the state disregarded many of the rights held dear in the 21st century: the 18th & 19th century Indians' denial of rights in courts of law, unmitigated racial violence, the seizure of lawful property, forcible relocation, and a general apathy for basic security and survival based on race. The Cherokee Indians recognized the political aspect of the conflict and utilized it at the federal level to the best of their ability; but in the greater societal context accommodation was impossible. The Washington was unable to force Georgia to change its behavior.

Second, it is easy for a state, country, or region to take a moral stance on an issue when they have only a theoretical stake in the outcome. The New England states were vocal in their opposition to the Cherokee relocation in the 1830s, but had fared no better and perhaps worse in their dealings with the tribes in their area, to include the Praying Town Indians, in the 17th century. (See Appendix C). The Cherokee Indians posed no threat or inconvenience to New England's security so it cost them nothing to disagree with the handling of the southern Indian tribes and express their 'Humanitarian' viewpoint.

Finally, Andrew Jackson and the people of the 19th century were not cultural anthropologists and dealt with the Indians in a fashion commensurate with the times. The cultural conflicts arising from relocation to the west and the consolidating of different tribes into one territory did not enter into their way of thinking. It is ironic that if the Cherokee Nation had not been moved west it might not exist today. ***Although ill-conceived, motivated by the***

acquisition of land, and poorly carried out, the removal of the Cherokee Indians was ultimately their salvation.

APPENDIX A: TREATIES

As European colonists came to America they immediately came into conflict with the Indians over resources. Due to the logistical constraints of the day, new colonies were at a distinct disadvantage in numbers when compared to the indigenous Indian tribes. Charleston, South Carolina, was no exception and to compensate for its weak position the colonists at Charleston signed treaties with the local Indians promising trade benefits in exchange for land. The colonists' increasing demand for land was the basis of conflict throughout the new Atlantic colonies and it was no different in what became North and South Carolina. The colonists used treaties and trade to get the land they wanted. Treaties intentionally exploited pre-existing rivalries between Indian tribes, often giving one tribe a significant military advantage over another. The Indians on the border of colonial lands were often encouraged to trade on credit and when they could not pay their debt a new treaty was signed ceding land to the creditor to pay off debts. The Indians found themselves incrementally giving way both south and west before their trade savvy competitors. [62]

Interspersed throughout this incremental acquisition of land were periods of crisis where direct conflict between Indians and colonists resulted in large areas of redistributed land. These periods of crisis would come after several years of relative harmony. At some point an incident, often triggered by an Indian response to a treaty violation, would result in a public outcry and a fight between the Indians and the colonists would ensue. These battles on the frontier, while limited by their location, generally involved no quarter given for white settlers and Indian alike. The Indians' dependency on technology and gunpowder left them unable to sustain their combat power so they were always forced to eventually sue for peace. Peter Mancall and James Merrell show the mounting pressure between the United States and the Cherokee immediately following

the American Revolution: "Furthermore, the frequent cessions of land forced upon the Cherokees after 1777 (in the treaties of 1798, 1804, 1805, and 1807) cut the heart out of the original Cherokee homeland."[63]

The following is a list of treaties beginning with the treaty of Hopewell during the American Revolution and ending with the Treaty of New Echota in 1835.

Treaty with the Cherokee, 1785 (Hopewell): Boundaries established and Cherokee acknowledge protection of the United States. $1,000 annuity.

Treaty with the Cherokee, 1791 (Holston): Payments adjusted to $1,500 annually and stipulation for a road through Indian Country.

Treaty with the Cherokee, 1794 (Philadelphia): Treaty of Holston binding. For every horse stolen, a sum deducted from annuity. Annuity increased to $5,000.

Treaty with the Cherokee, 1798 (Tellico Blockhouse): Addressed problems with the 1791 Treaty of Hopewell. Cession of more land and the Kentucky road to open. Indians are allowed to hunt on relinquished lands and must continue to pay for stolen horses. The U.S. guaranteed that they would not take any more Cherokee land.

Treaty with the Cherokee, 1804 (Tellico Blockhouse): Cession of more lands and annuity to remain at $5,000.

Treaty with the Cherokee, 1805 (Tellico Blockhouse): Cession of land for federal road in exchange for $3,000 in merchandise and $11,000.

Treaty with the Cherokee, 1805 (Tellico Blockhouse): Cession of land for Tennessee state assembly in exchange for $1,600.

Treaty with the Cherokee, 1806 (Washington): Cession of land in exchange for: $10,000, a grist mill, and annuity of $100 paid to Chief Black Fox for life.

Treaty with the Cherokee, 1816 (Washington): Cession of land in exchange for $5,000 annuity paid by South Carolina.

Treaty with the Cherokee, 1816 (Chickasaw Council House): Clarified Northern Cherokee land border. Paid $25,500 in reparations for unspecified damages inflicted by militia and U.S. Army troops.

Treaty With The Cherokee, 1816: Cession of land in proximity of western border. $5,000 payment to the Cherokee, followed by $6,000 annuity for ten years.

Treaty With The Cherokee, 1817 (Cherokee Agency): Census of Upper and Lower Towns. Benefits for emigration: "The United States do also bind themselves to give to all the poor warriors who may remove to the western side of the Mississippi river, one rifle gun and ammunition, one blanket, and one brass kettle, or, in lieu of the brass kettle, a beaver trap, which is to be considered as a full compensation for the improvements which they may leave."

Treaty With The Cherokee, 1819 (Washington): Reaffirmed treaty of 1817 with specifics on payments for improved lands and land grants in the west for specific individuals.

Treaty With The Western Cherokee, 1828 (Washington): Coordination with Cherokee residing in Arkansas. Payments of $50,000, $2,000 annuities, $8,760 for spoliations, $1,200 to Chief Thomas Graves for personal suffering, and $500 to George Guess. Additionally: "The Cherokee Nation, West of the Mississippi having, by this agreement, freed themselves from the harassing and ruinous effects consequent upon a location amidst a white population, and secured to themselves and their posterity, under the solemn sanction of the guarantee of the United States, as contained in this agreement, a large extent of unembarrassed country; and that their Brothers yet remaining in the States may be induced to join them and enjoy the repose and blessings of such a State in the future, it is further agreed, on the part of the United States, that to each Head of a Cherokee family now residing within the chartered limits of Georgia, or of either of the States, East of the Mississippi, who may desire to remove West, shall be given, on enrolling himself for emigration, a good Rifle, a Blanket, and Kettle, and five pounds of Tobacco: (and to each member of his family one Blanket,)"

Treaty With The Western Cherokee, 1833: Supplemental to the Treaty of 1828. Lists improvements to be provided by the U.S. Government. "In consideration of the establishment of new boundaries in part, for the lands ceded to said Cheerokee nation, and in view of the improvement of said nation, the United States will cause to be erected, on land now guaranteed to the said nation, four blacksmith shops, one wagon maker shop, one wheelwright shop, and necessary tools and implements furnished for the same; together with one ton of iron, and two hundred and fifty pounds of steel, for each of said blacksmith shops, to be worked up, for the benefit of the poorer class of red men, belonging to the Cherokee nation—And the United States, will employ four blacksmiths, one wagon-maker, and one wheelwright, to work in said shops respectively, for the benefit of said Cherokee nation; and said materials shall be furnished annually and said services continued, so long as the President may deem proper—And said United States, will cause to be erected on said lands, for the benefit of said Cheerokees, eight patent railway corn mills, in lieu of the mills.

Treaty of New Echota, Dec 29, 1835. Signed by the minority Ridge Party, this treaty ceded territory in the east for territory in the west and heralded the Indian Removal and end to negotiations.

Source: digital.library.okstate.edu/kappler/Vol2/toc.htm

APPENDIX B: DISEASE

Both the number of Indians in the Americas prior to European "discovery" and the percentage killed by disease is a matter of ongoing controversy, but it is sufficient to say that millions of Indians died in pandemics. Writer Jared Diamond laments the scale of the depopulation: "However, archaeological excavations, and scrutiny of descriptions left by the very first European explorers on our coasts, now suggest an initial number of around 20 million Indians. For the New World as a whole, the Indian population decline in the century or two following Columbus's arrival is estimated to have been as large as 95 percent."[64]

Diamond notes a documented example of smallpox's impact in the 19th century: "The Mandan of the upper Missouri, for example, are said to have declined from 1,600 to 131 during the smallpox epidemic of 1837."[65] While smallpox loomed as the major specter in Indian deaths there were other diseases that contributed to the reduction of Indian populations: measles, mumps, rubella, diphtheria, pertussis, and typhoid to name a few. Often Indians, who were lucky enough to survive one bout with disease were then killed by the next.

Additionally, the population's total lack of immunity deprived the sick of caregivers and compounded the death toll. Those Indians in the Southeast who managed to survive the first exposure to European diseases in the 16th century disintegrated into groups of individuals that were mere shadows of their previously unified culture. Alan Taylor compares the Indian peoples before and after contact with de Soto: "By 1700 the paramount chiefdoms encountered by Soto had collapsed...the paramount chiefdoms gave way to new confederations of smaller and more autonomous villages. Eighteenth-century colonists called the principal confederacies the Choctaw, Chickasaw, Creek, and Cherokee."[66] This lack of unity, stemming from major disruption by disease, would have far-reaching affects on the interactions between the Cherokee

Indians and the Europeans. Taylor distills the implications of the Indians' lack of unity: "Lacking a collective identity as "Indians" the natives continued to think of themselves as members of particular bands and tribes—which rendered them all vulnerable to colonial manipulation and domination."[67]

APPENDIX C: PRAYING TOWN INDIANS

In late 17th century New England the Puritans attempted to civilize the Indians through conversion to Christianity and the establishment of Praying Towns. Most Indians disdained these attempts at 'civilizing' but to those Indians already severely weakened by disease and conflict it was preferable to extermination. During King Phillips War of 1675 the Narragansett Indians rose up against the Puritans and fought a fierce war with no quarter given, i.e. an unlimited war. Even though the Praying Town Indians were not involved in the war, the colonists took revenge on any Indians they could find. Alan Taylor stated the fate of the Praying Town Indians: "To secure the praying Indians from genocide and from joining the enemy, the colonial authorities removed them to two cold and barren islands in Boston Harbor, where hundreds died from exposure, malnutrition, and disease (or were stolen by slavers) during the hard winter of 1675-1676."[68] Later the colonists recruited the Praying Town Indians in wars against the French, thus further reducing their numbers. The fate of the Praying Town Indians highlights the dangers still faced by Indians after 'Civilizing'.

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